



05-01-06

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10 - SEPARATE PAPER		ATTORNEY'S DOCKET NO. 030685
IN RE APPLICATION OF Stephan Copeland		
Serial No. 10/783,793		Filed February 20, 2004
FOR Mechanical Arm With Spring Counterbalance		
GRP. ART UNIT 3632		EXAMINER Anita M. King
"Express Mail" mailing label number		EV 662117527 US
Date of deposit:		April 28, 2006
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/783,793
Applicant : Stephan Copeland
Filed : February 20, 2004
Title : MECHANICAL ARM WITH SPRING COUNTERBALANCE
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Group Art Unit : 3632
Examiner : Anita M. King
:
Docket No. : 030685

APPELLANT'S REPLY TO EXAMINER'S ANSWER

Remarks

These Remarks are provided in response to the Examiner's Answer in the above referenced appeal. The Examiner sets forth several specific arguments to the Appellant's Brief in the Response to Argument section of the Answer. The Appellant is in disagreement with several points made by the Examiner.

The Examiner states that the springs in Sträter are indirectly attached to the linkages and the pivot points through rod segments 26 and 27 and lever 23 which are directly attached to the fixed support 30 and the pivot points via the brake shoe 19, respectively. First, the Examiner states that the springs in Sträter are *indirectly* attached. However, the claims of the application do not claim a spring which is indirectly attached but instead claims first and second springs which are "attached." The word "attached" in this context must be interpreted as being a direct connection between the spring and a point on the claimed structure. Had the Applicants meant to imply that the springs were indirectly attached to the structure, the term "indirectly" would have appeared in the claims. The Examiner should thus be prevented from interpreting the word "attached" to encompass the meaning "indirectly attached".

Further, the Examiner states that the springs are indirectly attached to the linkages and the pivot points through rod segment 26 and 27 and lever 23. The springs in Sträter, however, are not attached to rod segments 26 and 27 and therefore cannot be attached to the pivot points through rod segments 26 and 27. Instead, the spring is compressed between shoulders defined on rod segments 26 and 27, but no attachment exists between the spring and the rod segments. Thus, although the rod segment 27 is attached to fixed support 30, the spring is not attached to either of rod segments 26 or 27. Likewise, the Examiner states that the springs are indirectly attached to the pivot points via brake shoe 19 and lever 23. However, lever 23 connects to spreading member 21, which is not connected to brake shoe 19. Spreading member 21 is the oval shaped member which rotates in the gap of brake shoe 19 to either spread or relax brake shoe 19. If the longer axis of spreading member 21 is aligned within the gap in the brake shoe 19, the brake is applied. If the shorter axis of spreading member 21 is aligned with the gap, the brake shoe is relaxed and the linkages may rotate. In any case, the spring may in no sense be interpreted as being “attached”, either directly or indirectly to brake shoe 19.

Thus, the Applicants' argument here is twofold. First that the spring in the present application is “attached” and not “indirectly attached” and second, even if the spring of the present invention were indirectly attached, the means for indirectly attaching the spring in Sträter through linkage 23 and spreading member 21 does not form an attachment with brake shoe 19.

Conclusion

Sträter does not disclosed key elements of the invention as claimed in Claims 1-2 and 7-10, as discussed above. Therefore, the applicants request a reversal of the Examiner's rejection thereof under 35 U.S.C. § 102(b).

Respectfully submitted,



Dated: April 28, 2006

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